

Attorney Docket No.: 27609-67125

## DECLARATION AND POWER OF ATTORNEY -- PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled:

IRRIGATION CONTROL SYSTEM, the  
specification of which  
(check one) XX is attached hereto 19 March 1999 (19.03.99) as  
XX was filed on 19 March 1999 (19.03.99) is  
United States Application Serial No. \_\_\_\_\_ or  
PCT International Application No. PCT/AU99/00175  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(4) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) |                             |                             | Priority Claimed |           |
|------------------------------|-----------------------------|-----------------------------|------------------|-----------|
| <u>PP2475</u>                | <u>Australia (AU)</u>       | <u>(20.03.98)</u>           | <u>XX</u>        |           |
| (Number)                     | (Country)                   | <u>20 March 1998</u>        | Yes              | No        |
|                              |                             | (Day/Month/Year Filed)      |                  |           |
| <u>                    </u>  | <u>                    </u> | <u>                    </u> | <u>Yes</u>       | <u>No</u> |
| (Number)                     | (Country)                   | (Day/Month/Year Filed)      |                  |           |

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

|                             |                             |
|-----------------------------|-----------------------------|
| <u>                    </u> | <u>                    </u> |
| Application Number          | Filing Date                 |
| <u>                    </u> | <u>                    </u> |
| Application Number          | Filing Date                 |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                             |                             |                                     |
|-----------------------------|-----------------------------|-------------------------------------|
| <u>                    </u> | <u>                    </u> | <u>                    </u>         |
| Application Serial No.      | Filing Date                 | Status-patented, pending, abandoned |
| <u>                    </u> | <u>                    </u> | <u>                    </u>         |
| Application Serial No.      | Filing Date                 | Status-patented, pending, abandoned |

19 I hereby appoint William R. Coffey, Reg. No. 24023; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Nancy J. Harrison, Reg. No. 27083; Dilip A. Kulkarni, Reg. No. 27510; David B. Quick, Reg. No. 31993; Jill T. Powlick, Reg. No. 42088; Arland T. Stein, Reg. No. 25062; William B. Richards, Reg. No. 44301; Christopher E. Haigh, Reg. No. 46372; James R. Sweeney II, Reg. No. 45670; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31103; Paul B. Hunt, Reg. No. 37154; Michael S. Gzybowski, Reg. No. 32816; Alice O. Martin, Reg. No. 35601; and Gregory S. Cooper, Reg. No. 40965, as attorneys of record with full power of substitution and

revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG

11 South Meridian Street

Indianapolis, Indiana 46204

Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

James Dunstone TOWNSEND

Full Name of Sole or First Joint Inventor

[Signature]  
Inventor's Signature

104 Main Road

Hahndorf SA 5245, AUSTRALIA AUX

Residence and Post Office Address

Australia (AU)

Country of Citizenship

19 September 2000  
Date

Full Name of Second Joint Inventor, if any

Second Inventor's Signature

Residence and Post Office Address

Full Name of Third Joint Inventor, if any

Third Inventor's Signature

Residence and Post Office Address

Full Name of Fourth Joint Inventor, if any

Inventor's Signature

Residence and Post Office Address

Country of Citizenship

Date

Country of Citizenship

Date

Country of Citizenship

Date

|   |                         |            |                            |
|---|-------------------------|------------|----------------------------|
| <b>VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL BUSINESS STATUS (37 CFR 1.9(d) AND 1.27 (c)) - SMALL BUSINESS CONCERN</b>  |                         |            | Docket No.<br>276019-67125 |
| Serial No.<br>Unknown   | Filing Date<br>Herewith | Patent No. | Issue Date                 |
| Applicant/<br>Patentee: <b>James Dunstone TOWNSEND</b>  |                         |            |                            |
| Invention: <b>IRRIGATION CONTROL SYSTEM</b>   |                         |            |                            |
| <p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below.</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: <u>IRRIGATION CONTROL NETWORKS PTY LTD</u></p> <p>ADDRESS OF CONCERN: <u>C/- HOOD SWEENEY PTY, 110 HUTT STREET, ADELAIDE SA 5000, AUSTRALIA</u></p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input checked="" type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p> |                         |            |                            |

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

JAMES DUNSTONE TOWNSEND

TITLE OF PERSON SIGNING

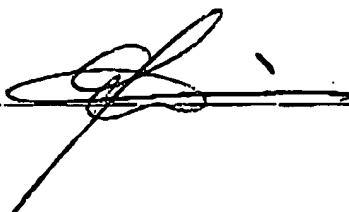
TECHNICAL DIRECTOR

OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING:

104 Main Road  
Heinrichsf SA 5245

SIGNATURE:



DATE:

19/9/00